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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Judiciary

From: Office of Revisor of Statutes

Date: February 3, 2025

Subject: Bill Brief on SB 84

Senate Bill 84 modifies the criminal of criminal use of a financial card to include certain conduct involving gift cards.

The bill amends K.S.A. 21-5828, the crime of criminal use of a financial card, to add two new violations of the crime. The first is acquiring or retaining possession of a gift card or gift card redemption information without the consent of the cardholder, gift card issuer or gift card seller. The second is altering or tampering with a gift card. The penalty for violation would be a class A nonperson misdemeanor if the good obtained within a seven-day period are valued at less than \$1,000, a severity level 9, nonperson felony if such value is at least \$1,000 and less than \$25,000 and a severity level 7, nonperson felon if such value is over \$25,000.

The section is also amended to add definitions of cardholder, closed-loop gift card, gift card, gift card issuer, gift card redemption information, gift card seller, and open-loop gift card.